

EXHIBIT 3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

6 CISCO SYSTEMS, INC.,)
7 Plaintiff,)
8 vs.) Case No.:
9 ARISTA NETWORKS, INC.,)
10 Defendant.)

ATTORNEYS' EYES ONLY - HIGHLY CONFIDENTIAL

VIDEOTAPED DEPOSITION OF ABHAY ROY

Palo Alto, California

Friday, December 18, 2015

Volume 1

21 Reported by:
22 RACHEL FERRIER
23 CSR No. 6948
24 Job No. 2200521
25 PAGES 1 - 232

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CISCO SYSTEMS, INC.,)
)
Plaintiff,)
)
vs.) Case No.:
) 5:14-cv-05344-BLF (PSG)
ARISTA NETWORKS, INC.,)
)
Defendant.)
)

VIDEOTAPED DEPOSITION OF ABHAY ROY, VOLUME 1,
taken on behalf of the Defendant, at Wilson Sonsini
Goodrich & Rosati, 601 California Avenue, Palo Alto,
California, beginning at 9:30 a.m. and ending at
4:47 p.m. on Friday, December 18, 2015, before
RACHEL FERRIER, Certified Shorthand Reporter No. 6948.

1 beginning with the noticing attorney, if you could just 09:31AM
2 introduce yourselves. 09:31AM
3 MR. SILBERT: David Silbert, Keker & Van Nest, on 09:31AM
4 behalf of Arista. 09:31AM
5 MS. McCLOSKEY: Elizabeth McCloskey on behalf of 09:31AM
6 Defendant Arista. 09:32AM
7 MR. NEUKOM: John Neukom for Cisco and for the 09:32AM
8 witness, and with me today is Sydney Archibald. 09:32AM
9 THE VIDEOGRAPHER: Thank you. 09:32AM
10 The witness will be sworn in and counsel may 09:32AM
11 begin the examination. 09:32AM
12 ABHAY ROY, 09:32AM
13 having been administered an oath, was examined and 09:32AM
14 testified as follows: 09:32AM
15 THE WITNESS: Yes. 09:32AM
16 EXAMINATION 09:32AM
17 BY MR. SILBERT: 09:32AM
18 Q Good morning, Mr. Roy. We met briefly off the 09:32AM
19 record, but let me just introduce myself again. 09:32AM
20 My name is David Silbert, and I'm one of the 09:32AM
21 attorneys who represents Arista in the -- in this 09:32AM
22 lawsuit. 09:32AM
23 Have you ever been deposed before? 09:32AM
24 A No. 09:32AM
25 Q Have you had an opportunity to talk to your 09:32AM

1	you have" --	10:03AM
2	A And -- yes. And then you have the	10:03AM
3	"bfd all-interfaces" command with or without any	10:03AM
4	options, which I don't remember if there are any, and	10:03AM
5	that's how you would configure that.	10:03AM
6	Q Okay. Why don't you put this heavy document	10:03AM
7	aside.	10:03AM
8	You said earlier that there have been times at	10:03AM
9	Cisco where your responsibilities included naming CLI	10:03AM
10	commands that would be used for certain features?	10:03AM
11	A Yes.	10:04AM
12	Q When did you first do that?	10:04AM
13	A Again, I can't tell you exact date, but, I mean,	10:04AM
14	that's part of a software engineer. You are	10:04AM
15	implementing CLIs for any features your customers	10:04AM
16	request. So I would guess it's as early as '96, when I	10:04AM
17	joined.	10:04AM
18	Q Have you applied any guidelines when naming CLI	10:04AM
19	commands?	10:04AM
20	MR. NEUKOM: Objection; vague and compound.	10:04AM
21	THE WITNESS: So CLI commands are -- I mean, some	10:04AM
22	people will say this is one of the heart of a	10:04AM
23	functionality when you are trying to design a new	10:04AM
24	feature, because that is how a customer consumes it.	10:04AM
25	There is a lot which goes into designing a CLI.	10:04AM

1 First part is a engineer comes up with their thought; 10:04AM
2 that I think this might be the right way to express it. 10:04AM
3 Then their peers critique it. There is some level of 10:05AM
4 discussion around that. And then earlier, also I 10:05AM
5 mentioned, there is a governance body, parser police, 10:05AM
6 which further critiques it and ensures this has the 10:05AM
7 higher architectural thought so that it's done in the 10:05AM
8 right way which makes sense for the overall software to 10:05AM
9 sort of take that CLI. 10:05AM

10 So it's -- it's quite complex process. It's not 10:05AM
11 something which I, as engineer, can just design and 10:05AM
12 write and ship. There is -- there is a bunch of other 10:05AM
13 writing that happens before we finalize and ship this. 10:05AM

14 BY MR. SILBERT: 10:05AM

15 Q Okay. And thank you for that description of the 10:05AM
16 process. 10:05AM

17 My question is: When you are coming up with an 10:05AM
18 actual name of a command, are there any guidelines you 10:05AM
19 have used to determine what that name should be? 10:05AM

20 MR. NEUKOM: Objection; asked and answered, vague 10:05AM
21 and compound. 10:05AM

22 THE WITNESS: So talking about me, personally, 10:06AM
23 every engineer thinks they are the rock star, right? So 10:06AM
24 they come up with their own version of what they would 10:06AM
25 like to put in their CLI. It may not see the light of 10:06AM

1 the day because there is other people who will block you 10:06AM
2 in and tell you that you are not thinking the right way, 10:06AM
3 and this is how IOS is organized, and this is how you 10:06AM
4 should build and construct a CLI. So sometimes your 10:06AM
5 ideas do move forward, and sometimes it gets tweaked, 10:06AM
6 changed, massaged before it sees the light of the day. 10:06AM

7 BY MR. SILBERT: 10:06AM

8 Q Again, I appreciate your description of the 10:06AM
9 process that's involved in coming up with a name, but my 10:06AM
10 question is directed to the substance of what the name 10:06AM
11 is. 10:06AM

12 Are there any guidelines that you, personally, 10:06AM
13 have used when naming commands to try to pick a name? 10:06AM

14 MR. NEUKOM: Objection; asked and answered, vague 10:07AM
15 and compound. 10:07AM

16 THE WITNESS: So there are no specific guidelines 10:07AM
17 per se. There is no written book or manual that this is 10:07AM
18 how thou shall implement CLIs, right? 10:07AM

19 And that's why I was saying earlier, every 10:07AM
20 engineer thinks, if I call it whatever name, that's the 10:07AM
21 best way to do it, right? And every person tries to do 10:07AM
22 it that way. It may not end up that way as I described 10:07AM
23 in the process earlier. 10:07AM

24 BY MR. SILBERT: 10:07AM

25 Q When you have named CLI commands, did you try to 10:07AM

1 pick commands that will be self-explanatory to people in 10:07AM
2 the industry? 10:07AM

3 MR. NEUKOM: Objection; calls for opinion 10:07AM
4 testimony and vague and compound. 10:07AM

5 THE WITNESS: So CLIs, when -- when I have 10:07AM
6 designed, I have tried to put it the way I like it. 10:07AM
7 And, again, this is engineers' opinion on what they like 10:08AM
8 to do, and -- and they try to do CLI in -- in their way. 10:08AM

9 Now, as I became seasoned -- and that's typically 10:08AM
10 with all engineers -- then you know sort of bigger, 10:08AM
11 broader ecosystem, and then you try to align yourself 10:08AM
12 with the overall flow, and your choices are more in line 10:08AM
13 to what others have done in the past, "others" in the 10:08AM
14 sense, in IOS, what other developers have done. So if 10:08AM
15 I'm IOS protocol developer, I'm now looking at what -- 10:08AM

16 (Reporter clarification.) 10:08AM

17 THE WITNESS: -- IS-IS developers are doing or 10:08AM
18 what BGP developers are doing. These are some of the 10:08AM
19 routing protocols, and these teams work very closely 10:08AM
20 together. 10:08AM

21 So as -- as -- as you grow more seasoned, you are 10:08AM
22 looking at sort of bigger ecosystem how these things are 10:08AM
23 done, how these things are aligned, and you come up with 10:09AM
24 better choices at the time. 10:09AM

25 BY MR. SILBERT: 10:09AM

1 Q And has one of your goals coming up with better 10:09AM
2 choices been to pick commands that will be 10:09AM
3 self-explanatory to the users of those commands? 10:09AM
4 MR. NEUKOM: Objection; asked and answered, vague 10:09AM
5 and compound, calls for opinion. 10:09AM
6 THE WITNESS: So the real -- real focus is on 10:09AM
7 broader elegance of how the parse trees or how the 10:09AM
8 commands are structured and how this all comes together, 10:09AM
9 and focus is more on that. How the user sees it is 10:09AM
10 probably not that front and center. It's more important 10:09AM
11 to be more aligned or more architecturally correct in 10:09AM
12 what you are trying to do. 10:09AM
13 BY MR. SILBERT: 10:09AM
14 Q So your testimony is that when naming CLI 10:09AM
15 commands, you have not tried to pick names that would be 10:09AM
16 self-explanatory to the users of those commands? 10:09AM
17 MR. NEUKOM: Objection; grossly misstates prior 10:09AM
18 testimony, vague and compound and asked and answered. 10:10AM
19 THE WITNESS: You can't read user's mind. You 10:10AM
20 have no idea what they want, right? You don't know 10:10AM
21 what -- what will make them happy, what they are 10:10AM
22 thinking. So that part of the house, you actually don't 10:10AM
23 have much anyways, right? You -- as engineer, you look 10:10AM
24 at a document and a spec and you say, I have been asked 10:10AM
25 to implement this. What is the best I can? 10:10AM

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1 So your first instinct is what you think should 10:10AM
2 be the right command, and as -- as you get more mature 10:10AM
3 and seasoned, you sort of build from what else is in the 10:10AM
4 ecosystem to make sure that this was perfect with the 10:10AM
5 choices you make. 10:10AM

6 So I think I answered that before. This is your 10:10AM
7 prime thinking going on. 10:10AM

8 BY MR. SILBERT: 10:10AM

9 Q Okay. My question is really pretty simple. 10:10AM

10 I just want to know: Was it or was it not one of 10:10AM
11 your goals, when naming CLI commands, to use commands 10:10AM
12 that would be self-explanatory to the people who had 10:11AM
13 used the commands? 10:11AM

14 MR. NEUKOM: Objection; asked and answered, vague 10:11AM
15 and compound. 10:11AM

16 THE WITNESS: Yeah, no, that's not a specific 10:11AM
17 goal. 10:11AM

18 BY MR. SILBERT: 10:11AM

19 Q Okay. When naming CLI commands, did you try to 10:11AM
20 pick names that would be familiar to people in the 10:11AM
21 industry? 10:11AM

22 MR. NEUKOM: Objection; vague and compound. 10:11AM

23 THE WITNESS: So choice of CLI -- I think we have 10:11AM
24 answered this several ways, but choice of CLI commands, 10:11AM
25 as I said, is -- is more related to what else is around 10:11AM

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1	rather than what might be familiar to people outside	10:11AM
2	either in the industry or the customers.	10:11AM
3	BY MR. SILBERT:	10:11AM
4	Q Okay. So in other words, it -- when -- it was	10:11AM
5	not one of your goals, when naming CLI commands, to pick	10:11AM
6	names that would be familiar to people in the industry?	10:11AM
7	MR. NEUKOM: Objection; asked and answered.	10:12AM
8	THE WITNESS: I would say that's not -- that's	10:12AM
9	not the prime goal.	10:12AM
10	BY MR. SILBERT:	10:12AM
11	Q Was it a goal?	10:12AM
12	A I mean, there is always a variety of	10:12AM
13	considerations where you are designing something, right?	10:12AM
14	And there is prime goals and then there are other subset	10:12AM
15	of goals. The prime goal is really what I want to do,	10:12AM
16	right? That's -- as an engineer, basically, this is	10:12AM
17	what I want the CLI to be, and the next, as I was	10:12AM
18	saying, is what others are trying to do by example of	10:12AM
19	IS-IS or BGP.	10:12AM
20	Let's say -- let's say there is a command which	10:12AM
21	is already existing in BGP. It's using a certain	10:12AM
22	command syntax. I'll be more inclined to use that	10:12AM
23	because I want to make sure that we are -- we are	10:12AM
24	looking like one Cisco when we go out, so the commands	10:12AM
25	will look very similar, and that's the internal	10:12AM

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1 alignment -- that's the internal elegance we go after. 10:12AM
2 Q Okay. My question is: Was it a goal of yours, 10:13AM
3 when naming CLI commands, to pick names that would be 10:13AM
4 familiar to people in the industry? 10:13AM
5 MR. NEUKOM: Objection; asked and answered -- 10:13AM
6 THE WITNESS: It's -- it's -- 10:13AM
7 MR. NEUKOM: -- vague and compound. 10:13AM
8 THE WITNESS: -- it's not explicit goal. 10:13AM
9 MR. SILBERT: Okay. 10:13AM
10 (Exhibit 53 was marked for 10:13AM
11 identification by the Court Reporter.) 10:13AM
12 BY MR. SILBERT: 10:13AM
13 Q Mr. Roy, would you please look at Exhibit 53 and 10:13AM
14 tell me if you recognize it? 10:13AM
15 MR. NEUKOM: While the witness is looking at the 10:14AM
16 document, on behalf of Mr. Roy, he reserves his right to 10:14AM
17 review and prepare errata for the transcript after 10:14AM
18 today. 10:15AM
19 MR. SILBERT: I'm sure he does. 10:15AM
20 MR. NEUKOM: Pardon me? 10:15AM
21 MR. SILBERT: I said, I'm sure he does. 10:15AM
22 THE VIDEOGRAPHER: Going off the record, the time 10:15AM
23 is 10:15. 10:15AM
24 (Recess taken.) 10:23AM
25 THE VIDEOGRAPHER: Back on the record, the time 10:23AM